




To the Honorable Council
City of Norfolk, Virginia

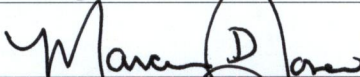
January 27, 2015

From: David L. Ricks, Director of Public Works

Subject: Encroach into city right of way at 7979 Hampton Boulevard with underground directional boring and communication cabling.

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 1/6

Approved: 
Marcus D. Jones, City Manager

Item Number:
R-6

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** United States of America
1625 Piersey St. – Bldg. P-65
Norfolk, Virginia 23511-3095

III. **Description**
This agenda item is an ordinance permitting the United States of America to encroach into city right of way at 7979 Hampton Boulevard with underground directional boring and communication cabling.

IV. **Analysis**
An encroachment is an object or structure that infringes into the City of Norfolk's right-of-way or property. Norfolk City Code, Section 42-10, requires all encroachments onto city right-of-way or property to be approved by City Council. This encroachment in this location will allow the United States of America to install underground directional boring and communication cabling under Hampton Boulevard at 7979 Hampton Boulevard.

V. **Financial Impact**
There should be no financial risk to the City as the United States of America is self-insured. The City of Norfolk did not charge a fee for this encroachment.

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. Review and approval by the Architectural Review Board and the City Planning Commission is not required.

IX. Coordination/Outreach

This letter has been coordinated with Department of Public Works, the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A

Form and Correctness Approved

By [Signature]
Office of the City Attorney

Contents Approved:

By [Signature]
DEPT. .

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING THE UNITED STATES OF AMERICA, THROUGH THE UNITED STATES NAVY ("USN") TO ENCROACH INTO CITY RIGHT OF WAY AT 7979 HAMPTON BOULEVARD WITH UNDERGROUND DIRECTIONAL BORING AND COMMUNICATION CABLING.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to USN to encroach into the right of way under Hampton Boulevard with underground directional boring and communication cabling, as shown on the aerial photograph attached hereto as Exhibit 1, subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation USN, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That USN shall comply with all federal, state and local laws, regulations and permitting requirements.
- (4) That upon completion of installation, USN shall provide the City's Division of Surveys with an as-built sketch showing the location and depth of the cabling.

Section 2:- That the use of the said encroaching structures shall be deemed an acceptance by USN of all conditions to which the permission herein granted is subject.

Section 3:- That this ordinance shall be in effect from and after its adoption.

